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C O N F I D E N T I A L SECTION 01 OF 04 TOKYO 005805

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USDOC FOR NATL COORDINATOR FOR IPR ISREAL AND ITA SEAN AND USPTO BOLAND
EAP/J PLEASE PASS TO USTR IPR, JAPAN, AND CHINA OFFICES LOC FOR MARLA POOR E.O. 12958: DECL: 10/05/2016

TAGS: [KIPR](#) [ETRD](#) [WTRO](#) [CH](#) [JP](#)

SUBJECT: JAPANESE IPR OFFICIALS POSITIVE ON ""GOLD STANDARD"" AGREEMENT; STILL NOT SUPPORTING WTO CASE AGAINST CHINA REF: A) TOKYO 3873 B) TOP

[1](#)1. (C) Summary: Japanese government and industry voiced strong support for an Anti-Counterfeiting Trade Agreement (ACTA) in meetings in Tokyo
End Summary

Strong political support for ACTA

[1](#)2. (SBU) Yoshio Tanabe, MOFA Deputy General, Economic Affairs Bureau, told DAS Moore that he expected a consolidated ACTA draft to be ready in

[1](#)3. (C) Hisamitsu Arai, Secretary General of the Cabinet, s IP Strategy Headquarters, warned that the GOJ would find it very difficult to commit

[1](#)4. (SBU) As he has in the past, Arai argued that we should not waste time getting bogged down in agreements amongst ourselves, while those re

[1](#)5. (SBU) DAS Moore explained that it is critical for ACTA to define a new global benchmark in IPR protection and that the TOKYO 00005805 00

[1](#)6. (SBU) MOFA took a softer approach to these problems with Tanabe saying simply that the GOJ prefers not to have to change its own laws to meet
Approaching G-8 and Other Countries on ACTA

[1](#)7. (SBU) MOFA, s Soma noted that the GOJ still wants to include the G-8 and its member states going forward in discussions of ACTA because the

[1](#)8. (C) There were some nuanced views on engaging the Europeans on ACTA. At MOFA, Soma agreed with DAS Moore that it would be best to concent

[1](#)9. (SBU) The GOJ sees the most likely candidates for the first tranche including France, UK, Germany, Australia, New Zealand and Singapore.

GOJ, Industry Still Wary of WTO case against China on IPR

[1](#)10. (SBU) Confirming what the Japan Intellectual Property Association (JIPA) told DAS Moore in an earlier meeting, Japanese industry, s initia

[1](#)11. (SBU) Trying to explain why Japanese companies oppose confrontation with China, Tanabe said that the people who manage the Chinese operat

[1](#)12. (SBU) Tanabe agreed with DAS Moore that governments must hold China accountable for the commitments it has made as a WTO member and add

IPSH Pushes for Bilateral IPR Agreement

[1](#)13. (SBU) IPSH Secretary General Arai made another pitch for a joint statement/agreement (refl b) on IPR that President Bush and the new Prin
Bilateral Agreement Would Offer Other Avenues for Cooperation on China/IPR

[1](#)14. (SBU) Arai stressed that a U.S.-Japan bilateral IPR agreement could also improve cooperation on the problems with IPR protection in China

[1](#)15. (SBU) Arai believed that the cooperative approach of the Japanese IPR missions to China had made some progress in the past two years, and

US-Japan Patent FTA proposal

[1](#)16. (SBU) Japan and the U.S. need to move closer to mutual recognition of patents to cope with the explosion of patent applications to the U.

[1](#)17. (SBU) Arai pointed out that the U.S. and Japan have small differences in their patent laws (i.e. first to invent v. first to file) but th

[1](#)18. (U) EB DAS Chris Moore has cleared this cable. DONOVAN ",10/5/2006,"JAPANESE IPR OFFICIALS POSITIVE ON ""GOLD STANDARD"" AGREEMENT; STILL